

THE CURTIS BILL IN ITS ENTIRETY

(Continued from page 1.)

peaceable and undisturbed possession thereof, subject to the provisions of this act.

Sec. 11. That the secretary of the interior is hereby authorized and directed from time to time to provide rules and regulations in regard to the leasing of oil, coal, asphalt and mineral in said territory, and all leases of oil, coal, asphalt or minerals shall be made by the secretary of the interior; and any lease for any such minerals otherwise made shall be absolutely void until approved by him. *Provided*, That nothing herein contained shall impair the rights of any holder or owner of a leasehold

ing two hundred or more residents therein may proceed, by petition to the United States court in the district in which such town is located, to have the same incorporated as provided in chapter twenty-nine of Mansfield's Digest of the Statutes of Arkansas, if not already incorporated thereunder, and such town government, when so authorized and organized, shall possess all the powers and exercise all the rights of similar town governments in said state of Arkansas. All male inhabitants of such towns over the age of twenty-one years, who are citizens of the United States or of either of said tribes,

filed with the secretary of the interior, said secretary shall appoint an officer who, in conjunction with the chief executive officer of said city or town, shall appraise the lots embraced in said plat at their cash value, and separate and apart from any improvements that may be located upon the same, and should said appraisers not be able to agree upon the value, they shall select a third person, who is not interested in said town, to assist them; and the determination of a majority of such appraisers shall be conclusive; and any person having buildings upon any of the said lots may purchase the same at the appraised value thereof; but if the person owning the buildings upon said lots shall not purchase them within six months after the appraisal, as herein provided, then said lots may be sold at public auction to the highest bidder at a price not less than the appraised value thereof. Lots now occupied by any person may be sold at private sale at the appraised value or at public auction, at such times and places as shall be provided for, under such rules and regulations as the secretary of the interior may make. The proceeds of the sales of said lots shall be applied, first, to the payment of the purchase price of the land on which said town or city or village is located, and after said payment is made all sums realized from the sale of said lots shall be deposited with the secretary of the treasury for the use and benefit of public schools of said city or town, and be paid out as directed by the proper school officers, subject to the approval of the secretary of the interior: *Provided*, That until title shall be obtained under the provisions of this section the use of all vacant lots in cities and towns, now or hereinafter incorporated, shall be disposed of upon such conditions as may be provided by the secretary of the interior.

Sec. 12. That the inhabitants of any town in said territory having interest in any coal rights, oil, coal claims, asphalt, or mineral which have been acquired with the consent or authority of congress, but all such interests shall continue unimpaired hereby: *And provided further*, That when, under the customs and laws heretofore existing and prevailing in the Indian Territory, leases have been made of different groups or parcels of coal deposits and possession has been taken thereunder and improvements made for the development of such coal deposits by lessees or their assigns, which have resulted in the production of coal in commercial quantities by such lessees or their assigns, then such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the secretary of the interior; and in making new leases due consideration shall be made for the improvements of such lessees, and in all cases of the leasing or renewal of leases of coal deposits preference shall be given to parties in possession who have made improvements: *Provided*, That no lease shall be made for a longer period than fifteen years, nor cover more than one hundred acres of surface land nor six hundred and forty acres of mineral, and shall conform as nearly as possible to the surveys. The rate of royalty to be paid by lessees shall be fixed by the secretary of the interior, and shall at all times be uniform throughout the said territory: *And provided further*, That lessees shall pay on each coal or asphalt claim at the rate of one hundred dollars per annum, in advance, for the first and second years; two hundred dollars per annum, in advance, for the third and fourth years; and five hundred dollars for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all persons having coal leases must pay said annual advanced payments on each claim, whether developed or undeveloped: *Provided*, however, That should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance thereon shall then become and be the money and property of the tribe: *Provided further*, That where any coal or asphalt is hereafter opened on land allotted, sold, or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the secretary of the interior and paid to the allottee, or owner of the land, by the lessee, or party operating the same, before operations begin.



Photo by Fowler, Vinita.

Ratcliff Mercantile Co. Chief Building.

The principal buildings shown above are occupied on the ground floor, 75 front feet, by the E. N. Ratcliff Mercantile Co., the right hand as a grocery and the succeeding ones as a dry goods and clothing store, respectively, the upper stories of the two latter being employed as ware rooms. In the upper story of the main building THE INDIAN CHIEFTAIN has had its home for a decade and has grown "to the manor born." F. M. Smith, attorney, also has offices on the same floor. The smaller building to the left of those described is occupied by Arthur Terry and Sam Motley as a restaurant and candy factory. To the left is shown the Raymond building. This is tenanted on the lower floor by T. T. Wimer and W. C. Wright, with drug stores. On the second floor F. A. Mueller has a tailor shop, Dr. Clinkscales and Dr. G. R. Hill each a physician's office, and Dr. Horton a dental office.

Sec. 13. That the inhabitants of any town in said territory hav-

who have resided therein more than six months next before any election held under this act, shall be qualified voters at such election. All elections shall be conducted under the provisions of chapter fifty-six of said digest, entitled "Elections," so far as the same may be applicable; and all inhabitants of such towns, without regard to race, shall be subject to all laws and ordinances of such town governments, and shall have equal rights, privileges, and protection therein. Such town governments shall in no case have any authority to impose upon or levy any tax against any lands in said towns; but all other property, including all improvements on town lots, which for the purposes of this act shall be deemed and considered personal property, together with all occupations and privileges, shall be subject to taxation. All the town councils of such town governments, for the support of the same and for school and other public purposes, may provide by ordinance for the assessment, levy, and collection annually of a tax upon such property, not to exceed in the aggregate one per centum of the assessed value thereof, in manner provided in chapter one hundred and twenty-nine of said digest, entitled "Revenue," and for such purposes may also impose a tax upon occupations and privileges.

Sec. 14. That should any lessee of lots in such towns as are provided in this act, in possession of any lot or lots, neglect or refuse to pay for the use of the same within thirty days after the same be due and demanded by the proper officers, such overdue rent shall become a lien upon the improvements situated thereon.

Sec. 15. That it shall be unlaw-

ful for any person, after the passage of this act, to claim, demand, or receive, for his own use or for the use of anyone else, any royalty or stone, coal, or other mineral, or any timber or lumber, or any other kind of property whatsoever, or any rents on any lands or property belonging to any one of said tribes or nations in said territory, or for anyone to pay to any individual any such royalty or rents or any consideration therefor whatsoever; and all royalties and rents hereafter payable to the tribe shall be paid, under such rules and regulations as may be prescribed by the secretary of the interior, into the treasury of the United States to the credit of the tribe to which they belong: *Provided*, That where any citizen shall be in possession of only such amount of agricultural or grazing lands as would be his just and reasonable share of the lands of his nation or tribe and that to which his wife and minor children are entitled, he may continue to use or receive the rents thereon until allotment has been made to him: *Provided further*, That nothing herein contained shall impair the rights of any member of a tribe whose allotment of lands may hereafter disclose coal or other minerals from using the same for his or her own use and benefit.

Sec. 16. That it shall be unlawful for any citizen of any one of said tribes to inclose or in any manner, by himself or through another, directly or indirectly, to hold possession of any greater amount of lands or other property belonging to any such nation or tribe than that which would be his approximate share of the lands belonging to such nation or tribe and that of his wife and minor children as per allotment herein pro-



Photo by Fowler, Vinita.

New Hasell Building.

This structure, erected last summer, occupies one of the two central corners of the city. It provides a domicile for the First National Bank, Jumbo Store and Peoples' Drug Store, on the lower floor. The second story is occupied by Drs. Fortner & Bagby, physicians, Day Brothers, dentists, J. B. Burckhalter, O. D. Neville, Davenport & Dugger, W. H. Kornegay, attorneys, G. W. Miller and Jos. P. Scott, insurance. The third floor provides a Masonic Hall and an Old Fellows hall, and between the two a large hall which is used as a banquet room and for dancing, etc. This building is situated upon the site of the old opera house, erected thirteen years and more ago by A. P. Goodykoontz.

Sec. 17. That any person found in such possession of lands or other property in excess of his share and that of his family, as aforesaid, or having the same in any manner inclosed, at the expiration of nine months after the passage of this act, shall be deemed guilty of a misdemeanor.

Sec. 18. That any person convicted of violating any of the provisions of sections fifteen and sixteen of this act shall be deemed guilty of a misdemeanor and punished by a fine of not less than one hundred dollars, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every two dollars of said fine and costs), and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States district attorney in said territory is required to see that the provisions of said sections are strictly enforced, and he shall at once proceed to dispossess all persons of such excessive holding of lands and to prosecute them for so unlawfully holding the same.

Sec. 19. That said commission shall have authority to employ, with approval of the secretary of the interior, all assistance necessary for the prompt and efficient performance of all duties herein imposed; and the secretary of the interior shall cause to be detailed for service with said commission a sufficient number of competent surveyors to lay out and plat the towns as aforesaid, and to do any other needed work.

Sec. 20. That all rights of way granted to railroad corporations whose lines have heretofore been constructed and at the time of the

persons whose names are found thereon; and they shall investigate the right of all persons whose names are found on all other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws. It shall make a roll of Cherokee freedmen in strict compliance with the decree of the court of claims rendered the day of , eighteen hundred and ninety.

Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Chockaw and Chickasaw citizenship under the treaties and laws of the said tribes.

The roll of Creek freedmen made by Dunn, on the part of the United States, in the year eighteen hundred and sixty-seven is hereby confirmed, and said commission is directed to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon, with such other persons of African descent as may have been rightfully admitted by the lawful authorities of said tribe.

It shall make a correct roll of all freedmen entitled to Chockaw citizenship under the treaty and the laws of the Chockaw nation and all their descendants born to them since the date of the treaty.

It shall also make a correct roll of all Chickasaw freedmen entitled to any rights or benefits under the treaty made in eighteen hundred and sixty-six between the United States and the Chockaw and Chickasaw tribes and their descendants born to them since the date of said treaty, and a sufficient amount of land shall be reserved from allotment for their use under provisions of the treaty in case it be found that they are entitled thereto: *Provided*, That forty acres be allotted to each found entitled thereto, to be selected by them, they to hold the use of the same until their rights under said treaty are determined, and the court of claims is hereby given jurisdiction to try and determine the questions.

Said commission shall make such rolls descriptive of persons named thereon, so they may be thereby identified, and is authorized to take a census of the and of freedmen in said tribes, citizens of each of the said tribes or to adopt any other means by them deemed necessary to enable them to make such rolls. They shall have access to all rolls and records of the several tribes, and the United States court in Indian Territory shall have authority to compel the officers of the tribal governments and custodians of such rolls and records to deliver same to said commission, and on their refusal or failure to do so to punish them as for contempt, as also to require all citizens of said tribes and persons who should be so enrolled to appear before said commission for enrollment at such times and places as may be fixed by said commission, and to enforce obedience of all others concerned so far as the same may be necessary to enable said commission to make rolls herein required, and to punish anyone who may, in any manner or by any means, obstruct said work.

Sec. 21. That where members of one tribe, under intercourse laws, usages, or customs, have made homes within the limits and on the land of another tribe they may retain and take allotment, embracing same under such agreement as may be made between such tribes respecting such settlement.



Photo by Fowler, Vinita.

Western Hotel Block.

This brick building, occupying 150 feet front, is the property, beginning on the right, of W. L. Trutt, J. S. Thompson, and G. W. Hill. The main portion, above, is occupied by the Western Hotel, conducted by H. C. Rarritt. Below, W. R. Badgett has his grocery in the corner room and his dry goods store adjoining. A. M. Brock comes next with a novelty store, then the Vinita Meat Store, Candy Kitchen, and Hill's hardware store. The upper portion of the left hand side of the building provides an office for the U. S. Commissioner, law offices for Don Carlos & Standfield, Edmiston & Merrell, W. H. Tibbels, and a dental office for Dr. Griffith.

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At the Close of Business on the 15th Day of December, 1897:

Resources.		Liabilities.	
Loans and Discounts.....	\$263,085.72	Capital stock.....	\$100,000.00
Overdrafts.....	2,903.69	Surplus and undivided profits.....	20,338.48
U. S. Bonds.....	25,000.00	Circulating notes.....	22,500.00
Furniture and fixtures.....	1,252.43	Deposits.....	233,412.78
Due from U. S. Treasurer.....	1,147.50		
Cash and sight exchange.....	142,812.01		
	\$539,201.35		\$539,201.25

DIRECTORS:

Oliver Bagby, B. F. Fortner, E. R. Frayer, E. N. Ratcliff, M. E. Milford, W. H. Kornegay, W. A. Graham, H. C. Cook, J. O. Hall, W. E. Halsell, G. W. Clark.

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